

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

REYES PACHICANO

PLAINTIFF

V.

CASE NO. 3:25-cv-00051-MPM-RP

**THE ESTATE OF KEVIN M. HORTON, DECEASED
AND KEYSTONE AUTOMOTIVE INDUSTRIES, INC.**

DEFENDANTS

ORDER

On February 20, 2025, defendants filed a motion to dismiss in which they argued, in a thorough memorandum brief, that plaintiff's claims arising from a November 23, 2021, motor vehicle accident that occurred on Interstate 40 in Tennessee are barred by that state's one-year statute of limitations for personal injury actions. *See* Tenn. Code Ann. § 28-3-104. Plaintiff has not responded to defendants' motion, nor has he sought additional time to do so. This court will interpret plaintiff's lack of response as a concession of the arguments set forth in defendants' motion, and, since those arguments appear persuasive and correct, the motion to dismiss will be granted.

It is therefore ordered that defendants' motion to dismiss is granted.

A separate judgment will be entered this date, pursuant to Fed. R. Civ. P. 58.

SO ORDERED, this the 20th day of March, 2025.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI